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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/296,120	04/21/1999	THOMAS J. REDDIN	25040-0153	7995
29052 7590 03/20/2009 SUTHERLAND ASBILL & BRENNAN LLP 999 PEACHTREE STREET, N.E. ATLANTA, GA 30309				
EXAMINER				
JANVIER, JEAN D				
ART UNIT		PAPER NUMBER		
3688				
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03/20/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* THOMAS J. REDDIN, GLENDA M. BEHRLE,  
ROBERT J. GFELLER, LAUREL M. KIMBROUGH, RODNEY D.  
TABERT, THOMAS C. McTHENIA, JR., and DANIEL J. WARREN

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Appeal 2008-3216  
Application 09/296,120  
Technology Center 3600

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Mailed: March 20, 2009

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Before DALE M. SHAW, *Chief Appeals Administrator*

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 31, 2008. A Docketing Notice was mailed and Appeal No. 2008-3216 was assigned on June 16, 2008. A review of the application has revealed that the application was not ready for an appeal.

On December 5, 2008, the examiner mailed a Supplemental Examiner's Answer to appellants. This supplemental Examiner's Answer introduced a new ground of rejection on claims 1, 2, 4-19, 21-23, 25-28, 30-43, 53, 59-65, and 67. On January 30, 2009, the appellants timely filed an amendment requesting the reopening of prosecution of the application.

Accordingly, it is

ORDERED that the application is remanded to the Examiner to reopen prosecution in accordance to the appellants' January 30, 2009 request.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/ewh

SUTHERLAND ASBILL & BRENNAN LLP  
999 PEACHTREE STREET, N.E.  
ATLANTA GA 30309